

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JEFFREY M. MULLER; *et al.*,

Plaintiffs,

v.

THE HON. PHILIP J. MAENZA, *et al.*,

Defendants.

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No. 2:10-CV-6110 (WHW) (CCC)

**DECLARATION OF
SCOTT RIVERA**

I, Scott Rivera, declare as follows:

1. I am an Assistant Superintendent for the Town of Hammonton, New Jersey. I reside in Hammonton, New Jersey.
2. I am a member of Plaintiff Second Amendment Foundation, Inc. (“SAF”).
3. I am a member of Plaintiff Association of New Jersey Rifle & Pistol Clubs, Inc. (“ANJRPC”).
4. I would like to carry a handgun for self-defense, but I refrain from doing so because I do not hold a permit to carry a handgun.
5. I have completed what I understand to be all of the prerequisites to obtain a permit to carry a handgun. Specifically, I have completed approved training in the handling and use of handguns, and in use-of-force laws, and I have passed the State Police qualification test.
6. On September 28, 2010, I applied for a permit to carry a handgun to Chief Ingemi of the Hammonton, New Jersey Police Department.
7. On October 5, 2010, Chief Ingemi denied my application for lack of “justifiable need.” I true and correct copy of my denied application is attached hereto as Exhibit A.

8. I submitted my denied application for a permit to carry to the Atlantic County, New Jersey Superior Court on October 25, 2010.

9. At a hearing held on January 21, 2011, Superior Court Judge Michael A. Donio denied my application for lack of "justifiable need." A true and correct copy of Judge Donio's order is attached as Exhibit B.

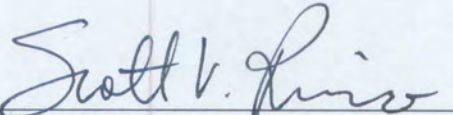
10. I have not challenged the denials of my license application because I am concerned about drawing attention to myself, and also because it would be difficult for me to finance extensive litigation.

11. One of the key reasons that I am a member of SAF and ANJRPC is that these organizations prosecute legal actions that seek to vindicate my constitutional rights.

12. I authorize both SAF and ANJRPC to pursue this action for my benefit and on my behalf.

I affirm all of the foregoing statements under penalty of perjury under the laws of the United States of America.

Dated: February 16, 2011


Scott Rivera